



**Robert I. Steiner**

Kelley Drye & Warren LLP  
3 World Trade Center  
175 Greenwich Street  
New York, NY 10007

Tel: (212) 808-7965  
Fax: (212) 808-7897  
rsteiner@kelleydrye.com

February 28, 2025

**VIA ECF**

Hon. Alvin K. Hellerstein  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007

**So ordered. The Clerk shall terminate ECF  
No. 441.**

**/s/ Alvin K. Hellerstein, U.S.D.J.**  
**3/3/2025**

**Re: The Avon Company f/k/a New Avon LLC et al. v. Fareva Morton Grove, Inc. et al., Case  
No. 22-cv-4724**

Dear Judge Hellerstein:

We represent Plaintiffs The Avon Company f/k/a New Avon LLC and LG H&H Co., Ltd. f/k/a LG Household & Health Care, Ltd. (collectively, "Avon") in the above-referenced matter. We write to respectfully request that the Court enter an Order to maintain under seal the document discussed below, copies of which are being contemporaneously filed under seal pursuant to the Court's standing order, 19-mc-00583, and this Court's Individual Rule 4(B)(ii). In support of this Letter Motion, Avon states as follows:

On October 7, 2022, the Court entered a Stipulated Confidentiality Agreement and Protective Order (the "Protective Order"). (ECF No. 65.) The Protective Order permits either party to designate Discovery Material as "Confidential" or "Attorney's Eyes Only," and provides that information so designated may not be disclosed except as expressly permitted under the Protective Order. (ECF No. 65 at ¶¶ 2, 12.)

In addition, pursuant to Section 11.1 of the parties' Manufacturing and Supply Agreement (the "MSA"), the parties agreed to "keep completely confidential and not publish or otherwise disclose and not use, directly or indirectly, for any purpose, any Confidential Information furnished or otherwise made known to it, directly or indirectly, by or on behalf of the other Party[.]" (ECF No. 7-1 at § 11.1.) The MSA defines "Confidential Information" as "any information provided by or on behalf of one Party . . . relating to the terms of this Agreement[.]" (ECF No. 7-1 at Definitions.)

On February 28, 2025, Avon intends to file its Opposition to Fareva's Motion for Summary Judgment ("Opposition"). In support of its Opposition, Avon intends to submit the following documents as exhibits to the Declaration of Robert I. Steiner, dated February 28, 2025 ("Steiner Decl.") which either

Hon. Alvin K. Hellerstein  
February 28, 2025

Avon, Fareva, or Alvarez & Marsal (who served as a consultant for Fareva) designated as “Confidential” or “Attorneys’ Eyes Only”:

<b>Document Type</b>	<b>Produced By</b>	<b>Bates Number</b>	<b>Designated As</b>	<b>Filed As</b>
E-mail	Avon	AVON0002384 – AVON0002388	Confidential	Steiner Decl. Ex. 23
Email	Avon	AVON0010160 – AVON0010163	Confidential	Steiner Decl. Ex. 24
E-mail	Avon	AVON0020801 – AVON0020810	Confidential	Steiner Decl. Ex. 25
E-mail	Avon	AVON0020939 – AVON0020945	Confidential	Steiner Decl. Ex. 26
E-mail	Avon	AVON0029008 – AVON0029015	Confidential	Steiner Decl. Ex. 27
E-mail	Avon	AVON0053824 – AVON0053825	Confidential	Steiner Decl. Ex. 28
E-mail	Avon	AVON0053901 – AVON0053906	Confidential	Steiner Decl. Ex. 29
E-mail	Avon	AVON0055970 – AVON0055971	Confidential	Steiner Decl. Ex. 30
E-mail	Fareva	FMG_00468113 – FMG_00468119	Confidential	Steiner Decl. Ex. 32
E-mail	Fareva	FMG_00085562 – FMG_00085565	Confidential	Steiner Decl. Ex. 33
E-mail	Fareva	FMG_00165620 – FMG_00165621	Confidential	Steiner Decl. Ex. 34
E-mail	Fareva	FMG_00167722 – FMG_00167725	Confidential	Steiner Decl. Ex. 35
E-mail	Fareva	FMG_00179007	Confidential	Steiner Decl. Ex. 36
E-mail	Fareva	FMG_00320621 – FMG_00320622	Confidential	Steiner Decl. Ex. 37
E-mail	Fareva	FMG_00329049 – FMG_00329050	Confidential	Steiner Decl. Ex. 38
Expert Report	Avon		Confidential	Steiner Decl. Ex. 44
E-mail	Avon	AVON0089587 – AVON0089590	Confidential	Steiner Decl. Ex. 45
Excel	Alvarez & Marsal	AM_AVFA_0005241 – AM_AVFA_0005246	Confidential	Steiner Decl. Ex. 46

Hon. Alvin K. Hellerstein  
February 28, 2025

Document Type	Produced By	Bates Number	Designated As	Filed As
E-mail	Fareva	FMG_00220315 – FMG_00220317	Confidential	Steiner Decl. Ex. 47

Avon contends that good cause exists to maintain under seal the documents it has produced as “Confidential” or “Attorneys’ Eyes Only,” and any references thereto in its Motion papers, because (i) Section 11.1 of the MSA requires Avon to maintain the confidentiality of such documents, and/or (ii) the documents contain sensitive information related to Avon’s financial decisions and the operations of Avon’s business.

As to documents produced by Fareva or Alvarez & Marsal, Avon is not contending that good cause exists to designate any of the foregoing materials as Confidential or Attorneys’ Eyes Only. Instead, Avon merely seeks to comply with its obligations under the Protective Order to file under seal documents that Fareva or Alvarez & Marsal has designated as such. With Fareva’s permission, Avon is prepared to re-file the foregoing documents or portions thereof publicly.

Avon further respectfully requests that the Court maintain under seal any portions of its Motion papers that reference or quote exhibits that were previously filed under seal based on either party’s designation of those materials as Confidential or Attorney’s Eyes Only. Those exhibits include the following:

Document Type	Produced By	Bates Number	Designated As	ECF#
E-mail	Fareva	FMG_00359385 – FMG_00359390	Confidential	ECF 275-1
Expert Report	Avon	--	Confidential	ECF 430-16
E-mail	Avon	AVON0088219 – AVON0088220	Confidential	ECF 438-19

Finally, Avon respectfully requests that the Court maintain under seal all documents previously filed under seal that are relied on or referred to in the portions of its Opposition filed under seal.

Thank you in advance for your consideration of this request.

Respectfully submitted,

/s/ Robert I. Steiner

Robert I. Steiner

cc: All Counsel of Record (via ECF)